

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
W. R. GRACE & CO., <u>et al.</u> , ¹)	Case No. 01-01139 (JKF)
)	
Debtors.)	Jointly Administered

**AMENDED NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON JANUARY 3, 2002 AT 10:00 A.M.
IN PITTSBURGH, PENNSYLVANIA BEFORE JUDGE FITZGERALD**

I. MATTERS SET FOR SCHEDULING/STATUS CONFERENCE

1. *Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 536)*

Related Documents:

- a. Notice of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 536)
- b. [Proposed] Order (i) Approving Case Management Schedule (ii) Establishing Bar Date (iii) Approving the Proof of Claim Forms and (iv) Approving Notice Program (Docket No. 536)
- c. Affidavit of Service re: Docket No. 536 (Docket No. 536)

¹ The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc.), Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc.), E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

- d. Memorandum in Support of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 537)
- e. Exhibits to Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program and Memorandum in Support of Debtors' Motion (Docket No. 545)
- f. Motion of the Official Committee of Asbestos Property Damage Claimants to Continue the Hearing on Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, and Motion to Extend Time to Object or Respond to Such Motions (Docket No. 614)

Response Deadline: July 13, 2001 at 4:00 p.m.

Responses Received:

- a. United States' Response to Debtors' Motion for Entry of Case Management Order, Motion to Establish Bar Date, Motion to Approve Claim Forms, and Motion to Approve Notice Program (Docket No. 620)
- b. Medical Monitoring Claimants' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and Approval of Notice Program (Docket No. 536); Joinder in the Motions for Continuance and Motion for Continuance; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 621)
- c. Zonolite Plaintiffs' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, and Motion to Extend Time to Object or Respond to Such Motions; Joinder in Motion for Continuance by Official Committee of Asbestos Property Damage Claimants; Independent Motion to Continue the Hearing on Debtors' Motion; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 623)
- d. Response and Memorandum of the Official Committee of Asbestos Property Damage Claimants in Opposition to Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program (Docket No. 900)
- e. Response to Motion Opposition of the Official Committee of Asbestos Personal Injury Claimants to Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 902)

- f. Response to Motion For Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, Filed by Official Committee of Unsecured Creditors (Docket No. 904)
- g. Response to Motion In Support of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and Approval of Notice Programs Filed by Official Committee of Equity Holders (Docket No. 1033)
- h. Debtors' Consolidated Reply in Support of Their Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Claim Forms and Approval of the Notice Program (Docket No. 1106)
 - (i) Debtors' Motion for Leave to File Omnibus Reply to Various Objections to the Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program (Docket No. 1106)

Status: This matter was originally noticed for July 19, 2001, and was continued until August 2, 2001, pursuant to an agreement among the parties. It has been fully briefed and was scheduled for a hearing on November 21, 2001, which was cancelled. The Debtors estimate that up to 4 hours may be necessary for the hearing. This matter is set for a scheduling conference.

2. *Motion for Protective Order Filed by Official Committee of Asbestos Property Damage Claimants (Docket No. 1112)*

Related Documents:

- a. [Proposed] Order

Response Deadline: December 28, 2001 at 4:00 p.m.

Responses Received:

- a. Debtors' Objection to the Motion of the Official Committee of Asbestos Property Damage Claimants for a Protective Order (Docket No. 1122)

Status: This matter has been fully briefed, but a hearing has not been scheduled. This matter relates to discovery in connection with Agenda item no. 1 above. This matter is set for a scheduling conference.

3. *Debtors' Motion to Modify the Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. 36)*

Related Documents:

- a. Notice of Debtors' Motion to Modify the Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. 36)
- b. [Proposed] Order Granting Modified Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. 36)
- c. Certificate of Service re: Docket No. TBD (Adv. Pro. No. A-01-771, Docket No. 36)
- d. Debtors' Memorandum in Support of Their Motion to Modify the Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. 37)
- e. Notice of Hearing re: Docket No. 36 (Adv. Pro. No. A-01-771, Docket No. 38)
- f. Supplemental Affidavit of Service re: Docket No. 36 (Adv. Pro. No. A-01-771, Docket No. 39)

Response Deadline: June 18, 2001 at 4:00 p.m.

Responses Received:

- a. Limited Objection to Debtors' Motion to Modify the Preliminary Injunction and Memorandum in Support Thereof [filed by Gloria Munoz] (Adv. Pro. No. A-01-771, Docket No. 40)
- b. Objections of State of Michigan, Department of Corrections to "Debtors' Motion to Modify the Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. TBD)
- c. Response and Limited Objection of the Official Committee of Asbestos Property Damage Claimants to the Debtors' Motion to Modify the Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. TBD)
- d. Opposition of Robert H. Locke to Debtors' Motion to Modify Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. TBD)
- e. Objection to Jurisdiction and to Debtors' Motion to Modify Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. TBD)
- f. Objectors', Youpee, Et Al.'s Memorandum in Opposition to Debtors' Motion to Modify Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. TBD)

- g. Perry Class Action Plaintiffs' Response to Debtors' Motion to Modify the Preliminary Injunction (Adv. Pro. No. A-01-771, Docket No. TBD)
- h. Objection and Opposition to Motion to Modify the Preliminary Injunction, Request for Telephone Appearance and Declaration of Alice Smolker (Adv. Pro. No. A-01-771, Docket No. TBD)

Status: This matter has been fully briefed, a hearing has been held, and the parties are awaiting the Court's ruling.

- 4. *Motion from Relief from Automatic Stay; Memorandum of Points and Authorities; Declaration of Alice Smolker; and Proposed Order (Docket No. 893)*

Related Documents:

- a. [Proposed] Order re: Docket No. 893 (Docket No. 893)
- b. Declaration of Service By Mail re: Docket No. 893 (Docket No. 893)
- c. Notice of Motion of Alice Smolker and Gary Smolker for Relief from Stay Under Section 362 of the Bankruptcy Code (Docket No. 894)

Response Deadline: September 13, 2001 at 4:00 p.m.

Responses Received:

- a. Debtors' Opposition to the Smolkers' Motion for Relief from the Automatic Stay [Re: Docket No. 893] (Docket No. 920)

Status: This matter is related to Agenda item no. 3 above and is before the Court for the scheduling of a hearing regarding the same.

- 5. *Complaint by Jackie Lewis, Bonnie Lewis, Thomas Lewis, Pamela Tellesch, Wayne Tellesch, Bridget Loehner, Dennis Loehner, Jane Zajac against W. R. Grace & Co., W. R. Grace & Co.-Conn., W. R. Grace & Co. a/k/a Grace, Sealed Air Corporation, National Medical Care, Inc., Fresenius A.G., Fresenius U.S.A. Inc., Fresenius National Medical Care, Inc. a/k/a Fresenius Medical Care Holdings, Inc. (Adv. Pro. No. 01-08810, Docket No. 1)*

Related Documents:

- a. Motion for Class Certification by Zonolite Attic Insulation Claimants (Adv. Pro. No. 01-8810, Docket No 2)
 - (i) Memorandum of Law in Support of Zonolite Plaintiffs' Motion for Class Certification (Adv. Pro. No. 01-8810, Docket No 2)

Response Deadline: December 17, 2001

Responses Received:

- a. Motion of the Debtors for an Order Dismissing the Class Action Adversary Complaint with Prejudice (Adv. Pro. No. 01-8810, Docket No 3)
 - (i). [Proposed] Order Dismissing the Class Action Adversary Complaint with Prejudice (Adv. Pro. No. 01-8810, Docket No 4)
 - (ii). Memorandum in Support of Debtors' Motion to Dismiss Class Action Adversary Complaint (Adv. Pro. No. 01-8810, Docket No 5)
 - (iii). Certificate of Service re: Docket Nos. 3, 4, 5 (Adv. Pro. No. 01-8810, Docket No 6)

Status: The Debtors have filed a motion to dismiss the complaint with prejudice. This matter is set for a scheduling conference.

- 6. *Motion to Dismiss Case Pursuant to 11 U.S.C. Section 1112(b) Filed by Zonolite Attic Insulation Class Plaintiffs (Docket No. 1140)*

Related Documents:

- a. Notice of Motion to Dismiss Case Pursuant to 11 U.S.C. Section 1112(b) Filed by Zonolite Attic Insulation Class Plaintiffs (Docket No. 1140)
- b. Certificate of Service re: Docket No. 1140
- c. Memorandum of Law in Support of Zonolite Claimants' Motion to Dismiss the Bankruptcy Case (Docket No. 1141)

Response Deadline: December 21, 2001

Responses Received: None as of the date of this Agenda Letter

Status: The Debtors and other parties are in the process of briefing their respective responses to the motion to dismiss the case. This matter is set for a scheduling conference.

7. *Complaint by Class Action Plaintiffs Medical Monitoring, for Injunction and Equitable Relief by Andy Dorrington, Susan B Grenfell, Gayla R Cody, Marvin Sather, Mark Macintosh, Chris Ladera against W. R. Grace & Co., W. R. Grace & Co.-Conn, W. R. Grace & Co. a/k/a Grace, Sealed Air Corporation (Adv. Pro. No. 01-08839, Docket No. 1)*

Related Documents:

- a. Motion by Medical Monitoring Plaintiffs for Class Certification (Adv. Pro. No. 01-08839, Docket No. 2)
- (i) Memorandum of Law in Support of Medical Monitoring Plaintiffs' Motion for Class Certification (Adv. Pro. No. 01-08839, Docket No. 2)

Response Deadline: TBD – No Summons has been issued in connection with the complaint, and, thus, no response date has been set

Responses Received: None as of the date of this Agenda Letter

Status: No Summons has been issued in connection with the complaint, and, thus, no response date has been set. This matter is set for a scheduling hearing.

8. *Joint Motion by the Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 527)*

Related Documents:

- a. Notice of Motion re: Docket No. 527 (Docket No. 527)
- b. Notice of Hearing on Joint Motion by the Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 1029)

Response Deadline: June 29, 2001 at 4:00 p.m.

Responses Received:

- a. Response of Sealed Air Corporation to Joint Motion of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 635)
- b. National Medical Care's Response to the Joint Motion by Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 657)

- c. Debtors' Opposition to the Joint Motion by the Asbestos Property Damage and Personal Injury Committees for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 658)
- d. Opposition of the Official Committee of Unsecured Creditors to the Joint Motion of the Official Committees of Asbestos Property Damage Claimants and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 659)

Status: The Motion has been fully briefed and was scheduled for a hearing on December 19, 2001, which was cancelled. A new hearing needs to be scheduled in connection with this matter.

- 9. *Joint Application by the Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Approval of Employment of Cozen O'Connor and McKool Smith as Co-Special Counsel to the Asbestos Committees (Docket No. 1009)*

Related Documents:

- a. Notice of Joint Application re: Docket No. 1009 (Docket No. 1009)
- b. [Proposed] Order Authorizing and Approving the Employment of Cozen O'Connor and McKool Smith as Co-Special Counsel to the Asbestos Committees of Asbestos Property Damage and Personal Injury Claimants (Docket No. 1009)
- c. Affidavit of Meredith S. Jones, Secretary re: Docket No. 1009 (Docket No. 1009)

Response Deadline: October 29, 2001 at 4:00 p.m.

Responses Received:

- a. Opposition of the Official Committee of Unsecured Creditors to Joint Motion of the Official Committees of Asbestos Property Damage Claimants and Asbestos Personal Injury Claimants for Approval of Employment of Cozen & O'Connor and McKool Smith as Co-Special Counsel to the Asbestos Committees (Docket No. 1037)
- b. Debtors' Opposition to the Joint Application By the Asbestos Property Damage and Personal Injury Committees for Approval of Law Firms to Prosecute the Fraudulent Transfer Claims (Docket No. 1038)

Status: This matter has been fully briefed and was scheduled for a hearing on December 19, 2001, which was cancelled. A new hearing needs to be scheduled in connection with Agenda item no. 8 above.

10. *Motion of the Official Committee of Asbestos Property Damage Claimants for an Order Pursuant to 11 U.S.C. §§ 105(a) and 1103(c) Compelling Debtors to Identify, Retain, Collect, and Organize Relevant Documents and to Make all Such Documents Available in a Central Repository (Docket No. 600)*

Related Documents:

- a. Notice of Motion re: Docket No. 600 (Docket No. 600)
- b. [Proposed] Order re: Docket No. 600 (Docket No. 600)

Response Deadline: July 12, 2001 at 4:00 p.m.

Responses Received:

- a. Limited Objection of Sealed Air Corporation to Proposed Order of the Committee of Asbestos Property Damage Claimants Seeking to Compel Debtors to Create a Document Repository (Docket No. 656)
- b. Joinder of the Official Committee of Asbestos Personal Injury Claimants in the Motion of Official Committee of Asbestos Property Damage Claimants for an Order Pursuant to 11 U.S.C. §§ 105(a) and 1103(c) Compelling Debtors to Identify, Retain, Collect, and Organize Documents in a Central Depository (Docket No. 666)
- c. Debtors' Response to the Official Committee of Asbestos Property Damage Claimants' Motion for an Order Compelling Debtors to Identify, Retain, Collect, and Organize Documents in a Central Depository (Docket No. 667)

Status: The Motion has been fully briefed and was scheduled for a hearing on December 19, 2001, which was cancelled. A new hearing needs to be scheduled for this matter.

11. *Motion for Entry of an Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Assume, Sell and Assign Leases for Real Property (Docket No. 817)*

Related Documents:

- a. Notice of Debtors' Motion for Entry of an Order Pursuant to Sections 363 and 365 of the Bankruptcy Code Authorizing the Debtors to Assume, Sell and Assign a Prime Lease and the Accompanying Subleases (Docket No. 817)
- b. [Proposed] Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Assume and Assign Leases for Real Property (Docket No. 817)

- c. Certificate of Service re: Docket No. 815 (Docket No. 817)
- d. Complaint of American Real Estate Holdings, Limited Partnership against W. R. Grace & Co., *et al.* (Adv. Pro. No. 01-07993, Docket No. 1) (*See also* Adv. Pro. No. 01-07993, Docket No. 8 – Order Staying Adversary Proceeding)

Response Deadline: September 13, 2001 at 4:00 p.m.

Responses Received:

- a. Objection of American Real Estate Holdings, Limited Partnership to Debtors' Motion for Entry of an Order Pursuant to Sections 363 and 365 of the Bankruptcy Code Authorizing the Debtors to Assume, Sell and Assign a Prime Lease and the Accompanying Subleases (Docket No. 924)

Status: The parties agreed to continue this matter until January 3, 2001. An alternate hearing date has not been set by the Court, however, the Debtors anticipate an amicable resolution of this matter.

- 12. *Complaint for Declaratory Judgment and Turnover of Non-Estate Property by MCNIC Pipeline & Processing Company against W.R. Grace & Co.-Conn. (Docket No. 1003)*

Related Documents: None

Response Deadline: December 13, 2001 (extended for the Debtors to December 21, 2001)

Responses Received: None as of the date of this Agenda Notice

Status: This matter is before the Court for the scheduling of a hearing regarding the same, however, the Debtors anticipate an amicable resolution of this matter. No objections or responses have been received as of the date hereof.

- 13. *Motion for Order Fixing Time By Which Debtor Must Assume or Reject Unexpired Leases; or, In the Alternative, for Relief from the §362 Automatic Stay (Docket No. 1005)*

Related Documents:

- a. Notice of Motion of Toyota Motor Credit Corporation for Order Fixing Time By Which Debtor Must Assume or Reject Unexpired Leases; *or*, In the Alternative, for Relief from the §362 Automatic Stay (Docket No. 1005)
- b. [Proposed] Order Vacating the Stay Pursuant to 11 U.S.C. Section 362 (Docket No. 1005)
- c. Certificate of Service re: Docket No. 1005 (Docket No. 1005)

- d. Amended Certificate of Service re: Docket No. 1005 (Docket No. 1016)
- e. Second Amended Certificate of Service re: Docket No. 1016 (Docket No. 1026)

Response Deadline: October 30, 2001 at 4:00 p.m. (extended to December 28, 2001 at 4:00 p.m. for the Debtors' and the Official Committee of Unsecured Creditors by agreement of the parties)

Responses Received: None as of the date of this Agenda Notice.

Status: The parties agreed to continue this matter until January 3, 2001. An alternate hearing date has not been set by the Court, however, the Debtors anticipate an amicable resolution of this matter. No objections or responses have been received as of the date hereof.

- 14. *Motion of Caterpillar Financial Corporation to Compel Debtors to Comply with 11 U.S.C. §365(d)(10) and for Allowance and Payment of Administrative Expenses, or, in the Alternative, for Adequate Protection (Docket No. 1015)*

Related Documents:

- a. Notice of Motion re: Docket No. 1015 (Docket No. 1015)
- b. [Proposed] Order Compelling Debtors to Comply with 11 U.S.C. § 365(d)(10) and for Allowance and Payment of Administrative Expenses, or, in the Alternative, for Adequate Protection (Docket No. 1015)
- c. Certificate of Service re: Docket No. 1015 (Docket No. 1015)

Response Deadline: October 29, 2001 at 4:00 p.m. (extended to December 28, 2001 at 4:00 p.m. for the Debtors' and the Official Committee of Unsecured Creditors by agreement of the parties)

Responses Received: None as of the date of this Agenda Notice.

Status: The parties agreed to continue this matter until January 3, 2001. An alternate hearing date has not been set by the Court, however, the Debtors anticipate an amicable resolution of this matter. No objections or responses have been received as of the date hereof.

15. *Supplemental Application to Employ Professor Elizabeth Warren as Special Bankruptcy Consultant Filed by Official Committee of Asbestos Personal Injury Claimants (Docket No. 1019)*

Related Documents:

- a. Supplemental Affidavit of Elihu Inselbuch Pursuant to Section 327(a) of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure (Docket Nos. 905 and 906)
- b. Statement of Debtors in Connection with the Supplemental Affidavit of Elihu Inselbuch Pursuant to Section 327(a) of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure (Docket No. 1001)
- c. Verified Statement of Professor Elizabeth Warren in Accordance with Section 1103 of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure (Docket No. 1309).

Response Deadline: November 5, 2001 at 4:00 p.m.

Responses Received:

- a. Response of the Official Committee of Unsecured Creditors to Supplemental Application to Employ Professor Elizabeth Warren as Special Bankruptcy Consultant Filed by Official Committee of Asbestos Personal Injury Claimants (Docket No. 1073)
- b. Debtors' Objection to the Application by the Asbestos Personal Injury Committee for an Order Authorizing the Employment of Elizabeth Warren as Special Bankruptcy Consultant (Docket No. 1078)
- c. Objection of the United States Trustee to Supplemental Application of the Official Committee of Asbestos Personal Injury Claimants for an Order Authorizing the Employment of Professor Elizabeth Warren as Special Bankruptcy Consultant to Caplin and Drysdale (Docket No. 1080)

Status: This matter has been fully briefed and is before the Court for the scheduling of a hearing regarding the same.

16. *Motion of Timothy Kane for Relief from Stay (Docket No. 1034)*

Related Documents:

- a. Notice of Motion for Relief from the Automatic Stay (Docket No. 1032)
- b. Certificate of Service re: Docket No. 1034

Response Deadline: December 14, 2001 at 4:00 p.m.

Responses Received:

- a. Response of the Debtors to the Motion of Timothy Kane for Relief from the Automatic Stay (Docket No. 1115)

Status: This matter has been fully briefed and is before the Court for the scheduling of a hearing regarding the same.

II. UNCONTESTED MATTERS

17. *Motion of First Union Commercial Corporation for Order (i) Compelling Debtors to Assume or Reject Equipment Lease and to Comply with Post-Petition Lease Obligations Pending Assumption or Rejection, and (ii) Allowing and Directing Payment of an Administrative Claim for Unpaid Rent Under the Equipment Lease (Docket No. 533)*

Related Documents:

- a. Stipulation and Order Resolving the Motion of First Union Commercial Corporation (Docket No. 968)

Status: The Debtors and First Union Commercial Corporation have resolved this matter and seek entry of the Stipulation and Order resolving the same.

18. *Debtors Motion for Entry of an Order Clarifying the Order Authorizing the Debtors to Honor Certain Prepetition Obligations to Customers and Licensors and to Otherwise Continue in the Ordinary Course of Business Customer Programs and Practices (Docket No. 1109)*

Related Documents:

- a. Certificate of No Objection re: Docket No. 1109 (Docket No. 1311)

Response Deadline: December 3, 2001 at 4:00 p.m.

Responses Received: None as of the date of this Agenda Notice.

Status: No objections to Motion have been filed or received by the Debtors.
Accordingly, the Debtors filed a Certificate of No Objection and seek the entry of the Order approving the Motion.

19. *Application of the Debtors for the Entry of an Order Authorizing the Retention and Employment of Steptoe & Johnson LLP as Special Tax Counsel (Docket No. 1072)*

Related Documents:

- a. Certificate of No Objection re: Docket No. 1072 (Docket No. 1330)

Response Deadline: November 21, 2001 at 4:00 p.m.

Responses Received: None as of the date of this Agenda Notice.

Status: No objections to Application have been filed or received by the Debtors.
Accordingly, the Debtors filed a Certificate of No Objection and seek the entry of the Order approving the Application.

20. *Motion of the Debtors for the Entry of Order Approving the Execution of a Consent Decree with the EPA (Docket No. 1028)*

Related Documents:

- a. Certificate of No Objection re: Docket No. 1028 (Docket No. 1337)

Response Deadline: November 15, 2001 at 4:00 p.m.

Responses Received: None as of the date of this Agenda Notice.

Status: No objections to Motion have been filed or received by the Debtors.
Accordingly, the Debtors filed a Certificate of No Objection and seek the entry of the Order approving the Motion.

ADDITIONAL MATTERS

21. *Motion of the United States Internal Revenue Service for Relief from the Automatic Stay (Docket No. 1064)*

Related Documents:

- a. **Certification of No Objection Regarding Motion of the United States Internal Revenue Service for Relief from the Automatic Stay (Docket No. 1384)**

Response Deadline: December 6, 2001 at 4:00 p.m.

Responses Received: None as of the date of this Agenda Notice.

Status: The Debtors anticipate presenting a consensual Order approving the Motion at the hearing.

22. *Defendant ExxonMobil's Motion for Summary Judgment (Adv. Pro. No. A-01-771, Docket No. 72)*

Related Documents:

- a. **Affidavit of Service re: Docket No. 72 (Adv. Pro. No. A-01-771, Docket No. 72)**

Response Deadline: None.

Responses Received:

- a. **Debtors' Opposition to ExxonMobil Corporation's Motion for Summary Judgment (Adv. Pro. No. A-01-771, Docket No. 75)**

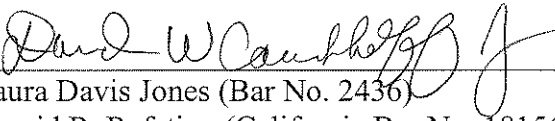
Status: The Motion has been fully briefed. A hearing needs to be scheduled in connection with this matter.

Dated: December 21, 2001

KIRKLAND & ELLIS
David M. Bernick
James H.M. Sprayregen
James W. Kapp III
Samuel A. Schwartz
200 East Randolph Drive
Chicago, Illinois 60601
(312) 861-2000

and

PACHULSKI, STANG, ZIEHL, YOUNG & JONES P.C.



Laura Davis Jones (Bar No. 2436)
Hamid R. Rafatjoo (California Bar No. 181564)
David W. Carickhoff Jr. (Bar No. 3715)
919 North Market Street, 16th Floor
P.O. Box 8705
Wilmington, DE 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400

Co-counsel for Debtors and Debtors in Possession